

JIM MATHESON
2ND DISTRICT, UTAH

www.house.gov/matheson

Congress of the United States

House of Representatives

Washington, DC 20515-4402

May 21, 2010

ENERGY AND COMMERCE
COMMITTEE

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SCIENCE AND TECHNOLOGY
COMMITTEE

Honorable Julius Genachowski, Chairman
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Mignon Clyburn
Commissioner Meredith Attwell Baker
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Handwritten notes:
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ADA
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Re: CG Docket Nos. 03-123 and 10-51

Dear Chairman Genachowski and Commissioners Copps, McDowell, Clyburn and Baker,

I am writing regarding the Federal Communications Commission's proposed changes to the payment formula for Video Relay Service (VRS), the broadband service that enables deaf and hard of hearing individuals to make routine and emergency calls. The Americans with Disabilities Act directs the Commission to ensure that deaf and hard of hearing individuals nationwide have access to "functionally equivalent" telecommunications services available nationwide. For those individuals who use American Sign Language, VRS is the most functionally equivalent service available and the technology has often been described as life changing.

It is my understanding that in its proposed rate change, the Commission is shifting for the first time from a compensation method based on projected costs to rates based on the 2009 average actual historical cost data. Concerns have been raised that this shift in methodology does not accurately reflect the entire cost structure associated with providing VRS.

As you move forward with determining appropriate compensation rates for VRS providers, I respectfully request that you take into account all costs associated with providing this critical service and ensure that carriers are treated fairly. VRS is one of the successes of the Americans with Disabilities Act, and I hope you will continue to ensure progress in communications for the deaf and hard of hearing. Thank you for your consideration of this matter.

Sincerely,

Handwritten signature of Jim Matheson
JIM MATHESON
Member of Congress

28 MAY 2010 RCU

WASHINGTON OFFICE:
1323 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4402
PHONE: (202) 225-3011
FAX: (202) 225-5638

SALT LAKE OFFICE:
240 EAST MORRIS AVENUE (2430 SOUTH) #235
SOUTH SALT LAKE, UT 84115
PHONE: (801) 486-1236
FAX: (801) 486-1417

SOUTHERN UTAH OFFICE:
321 NORTH MAIN DRIVE #51018
SAINT GEORGE, UT 84790
PHONE: (435) 627-0880
FAX: (435) 627-1473

EASTERN UTAH OFFICE:
120 EAST MAIN STREET
PRICE, UT 84601
PHONE: (435) 836-3722
FAX: (435) 813-1834



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 5, 2010

The Honorable Jim Matheson
U.S. House of Representatives
2434 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Matheson:

Thank you for your letter regarding the reimbursement rate for Video Relay Service (VRS). I share your support for VRS, which has become a critical communications tool for many who are deaf or hard of hearing.

On June 28, 2010, the Commission unanimously adopted two items to address immediate and long-term approaches for sustaining the vital Telecommunications Relay Services, of which VRS is one form. In an *Order*, the Commission sets interim VRS rates for the July 1, 2010 – June 30, 2011 period at \$6.2390 for Tier I, \$6.2335 for Tier II, and \$5.0668 for Tier III. These rates represent the average of the current tiered rates and NECA's proposed rates based on actual, historical costs. The *Order* notes that these rates also reflect a balance between the goal of ensuring that VRS providers recover from the VRS Fund only the reasonable costs caused by their provision of VRS and the goal of ensuring quality and sufficient service during a one-year period.

The other item adopted on June 28 is a *Notice of Inquiry* to take a fresh look at the VRS rules with an eye to ensuring that this vital program remains effective, efficient, and sustainable in the future. The *Notice* poses questions that delve into many cost and reimbursement related issues, seeking to make the program less susceptible to the waste, fraud, and abuse that have plagued the current program. Bringing clarity and predictability to VRS compensation is high on the Commission's list of priorities, and we will resolve this proceeding as expeditiously as possible. I am enclosing a copy of the Commission's News Release for your information.

I appreciate your continuing interest in this very important matter. Please let me know if I can be of any further assistance.

Sincerely,

Julius Genachowski